

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

3:11-cv-110

ANNY CRUZ,

Plaintiff,

v.

**TRT HOLDINGS, INC., THE OMNI
CHARLOTTE HOTEL, OMNI HOTELS,
BARTENDER "SANTIAGO" AND/OR
BARTENDER DOE, OMNI SECURITY
GUARDS 1-10 (fictitious names),
JOHN DOES 1-10 (fictitious names), and
XYZ CORPORATION (fictitious names)**

Defendants.

ORDER

THIS MATTER comes before the Court upon its own Motion. Plaintiff's counsel was advised by chambers via telephone that as a courtesy and in the interest of justice, Plaintiff's counsel would be allowed to file a motion requesting special admission, instead of *pro hac vice* admission, to this Court, pursuant to Local Rule 83.1(D)(2). Plaintiff's counsel failed to file such a motion. Subsequently, on May 19, 2011, the Court *ordered* Plaintiff's counsel to withdraw his Motion for Leave to Appear Pro Hac Vice (D.I. 33) and file the appropriate Motion for Special Admission by Tuesday, May 24, 2011. (D.I. 36). Plaintiff's counsel again failed to file the appropriate motion. The Court therefore denied the Motion to Appear Pro Hac Vice and required Plaintiff to obtain local counsel. (D.I. 39). Plaintiff's counsel has failed to make any further filings in the case. The Defendant filed a Motion to Dismiss on May 20, 2011 to which Plaintiff has yet to respond (D.I. 37).

Plaintiff will be allowed 30 days to obtain local counsel (or to proceed *pro se*), to make a showing as to why these matters should not be dismissed for failure to prosecute, and to respond to Defendant's Motion to Dismiss. If Plaintiff fails to comply with this Order by August 25, 2011, the case will be dismissed without prejudice for failure to prosecute.

SO ORDERED.

Signed: July 26, 2011

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

